

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office **JAN 25 1995**

Returned to applicant for correction

JAN 25 1995

Corrected application filed

Map filed **NOV 27 1994**

under 56831

The applicant **Newmont Gold Company by Paul M Pettit, agent****PO Box 669**

Street and No. or P.O. Box No.

of **Carlin**

City or Town

Nevada 89822

State and Zip Code No.

hereby make **S.** application for permission to change the**point of diversion of a portion**

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **permit 56836**

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is **underground; well LK-11**

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **0.1782 cfs (80.00 gpm)**

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **same as existing**

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **mining, milling, irrigation, infiltration, surface
discharge, domestic and dewatering**

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **within the SW quarter of the SE quarter**

Describe as being within a 40-acre subdivision of public survey and by course and

of section 35 of T34N, R51E, M.D.B.&M., at a point from which the SE corner of

distance to a section corner. If on unsurveyed land, it should be stated.

said section 35 bears S73°40'03"E a distance of 2285 feet (see attached map)

within the SE quarter of section

6. The existing permitted point of diversion is located within

35, T34N, R51E, M.D.B.&M., at a point from which the NE corner of section 36,

If point of diversion is not changed, do not answer

T34N, R51E, M.D.B.&M. bears N58°40'E a distance of 7660 feet.**same as existing (see map filed under 56836)**

7. Proposed place of use

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

(see attached)

8. Existing place of use

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **January 1** to **December 31** of each year.

Month and Day

Month and Day

10. Use was permitted from **January 1** to **December 31** of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **A drilled and cased well equipped with a****pump, motor, and a pipeline to a totalizing flow meter for several wells, and**

State manner in which water is to be diverted, i.e. diversion structure,

ditches, pipes and flumes, or drilled well, etc. then to the place of use.12. Estimated cost of works **fifty thousand dollars (\$50,000)**13. Estimated time required to construct works **one year**

one year

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application is hereby submitted in accordance with well spacing Order 1055.

s/Paul M Pettit
 By ~~PO Box 669~~
 Carlin, Nevada 89822

Compared jr/bk jr/bk

Protested.....

APPROVAL
 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 56836 is issued subject to the terms and conditions imposed in said Permit 56836 and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

This permit will allow the permittee to dewater the pit area. Any water obtained under Permits 53384, 53385, 54339, 54340, 54341, 55616, 55617, 55618, 55619 and 56831 through 56839, inclusive, and any subsequent changes of the above mentioned permits, as a result of the dewatering program by the permittee, will be used first for the beneficial uses of mining, milling, heap leaching, drilling, construction, dust suppression, road watering and other related mining and milling uses within the place of use as described, hereinafter referred to as mining and milling purposes.

Water may be placed in the Maggie Creek Reservoir (approved on July 21, 1992 under Dam Safety Permit J-387).

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1782 cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of April,A.D. 19 95

[Signature]
 State Engineer

EXPIRED

DATE 4-17-96

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 25 1995
 Returned to applicant for correction.....JAN 25 1995
 Corrected application filed.....Map filed NOV 27 1991 under 56831

The applicant Newmont Gold Company by Paul M Pettit, agent
PO Box 669 of Carlin
Street and No. or P.O. Box No. City or Town
Nevada 89822 hereby make 5 application for permission to change the
State and Zip Code No.
point of diversion of a portion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under permit 56834
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

- The source of water is underground; well P-20
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.0134 cfs (6.00 gpm)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for same as existing
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for mining, milling, irrigation, infiltration, surface discharge, domestic and dewatering
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the SE quarter of the NW quarter
Describe as being within a 40-acre subdivision of public survey and by course and
of section 02 of T33N, R51E, M.D.B.&M., at a point from which the NE corner of
distance to a section corner. If on unsurveyed land, it should be stated.
said section 02 bears N57°55'26"E a distance of 4450 feet. (see attached map)
within the NW quarter of section
- The existing permitted point of diversion is located within
02, T33N, R51E, M.D.B.&M., at a point from which the NE corner of section 36,
If point of diversion is not changed, do not answer.
T34N, R51E, M.D.B.&M. bears N54°23'E a distance of 11,330 feet.

- same as existing (see map filed under 56834)
- Proposed place of use same as existing (see map filed under 56834)
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
 - Existing place of use (see attached)
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)
A drilled and cased well equipped with a
State manner in which water is to be diverted, i.e. diversion structure.
pump, motor, and a pipeline to a totalizing flow meter for several wells, and
then to the place of use.
ditches, pipes and flumes, or drilled well, etc.
fifty thousand dollars (\$50,000)
- Estimated cost of works one year
- Estimated time required to construct works

one year

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application is hereby submitted in accordance with well spacing Order 1055.

By s/Paul M Pettit
PO Box 669
Carlin, Nevada 89822

Compared jr/bk jr/bk

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 56834 is issued subject to the terms and conditions imposed in said Permit 56834 and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. This permit will allow the permittee to dewater the pit area. Any water obtained under Permits 53384, 53385, 54339, 54340, 54341, 55616, 55617, 55618, 55619 and 56831 through 56839, inclusive, and any subsequent changes of the above mentioned permits, as a result of the dewatering program by the permittee, will be used first for the beneficial uses of mining, milling, heap leaching, drilling, construction, dust suppression, road watering and other related mining and milling uses within the place of use as described; hereinafter referred to as mining and milling purposes. Water may be placed in the Maggie Creek Reservoir (approved on July 21, 1992 under Dam Safety Permit J-387).
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0134 cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before
Proof of completion of work shall be filed before
Application of water to beneficial use shall be made on or before
Proof of the application of water to beneficial use shall be filed on or before
Map in support of proof of beneficial use shall be filed on or before

TEMPORARY

Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 18th day of April
A.D. 1995
R. Michael Turnipseed P.E.
State Engineer

EXPIRED
DATE 4-17-96

(PERMIT TERMS CONTINUED)

Upon permanent cessation of all mining, milling and dewatering purposes, all water granted under the permits will revert back to the source from which it was appropriated, except for any water requirements needed for any mine closure plan and/or to mitigate any adverse effects caused by dewatering.

The State Engineer retains the right to require at any time the permittee cooperate in the funding of additional monitoring and modeling by an independent third party. The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of all data submitted reporting on the dewatering program, water use and the monitoring plan. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on April 17, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

